

Remarks

The present response is to the Office Action mailed in the above-referenced case on August 15, 2007.

Rejection under 35 U.S.C. 112

3. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites the limitation "the users" in the claim. There is insufficient antecedent basis for this limitation in the claim.

4. Claim 5 and 7 recites the limitation "the main interface" in the claim. There is insufficient antecedent basis for this limitation in the claim.

5. Claim 6 recites the limitation "the main and secondary interfaces" in the claim. There is insufficient antecedent basis for this limitation in the claim.

6. Claims 10, 12-18 and 20-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

"accessible" is considered indefinite because it has a connotation that does not require the user to access the data menu over the Internet (see definition (2.) "that can be used..." in Dictionary.com)

7. Claims are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

"interfaces" is indefinite because it has both software and hardware connotations

Applicant's response:

Applicant herein amends the claims to overcome the 112 rejections.

Merit Rejection under 35 USC §103

Claims 1 and 3-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawlor et al. (US 5,220,501), hereinafter Lawlor.

Examiner's rejection:

Re claim 1, In a software suite executing from a computer server on an Internet network, for enabling viewing and manipulation of a software interface for enabling proxy transfer of funds between at least a user's financial account held at one institution and a user's financial account held at another, separate, institution (see Lawlor, "cooperating banks," column 34, lines 46 to column 35, line 2),

an interactive main window viewable from a single portal (terminal screen) accessed by the user from the Internet for presenting and manipulating funds at financial accounts held by the users including at least configuring transfer funds orders, viewing pending transfers, viewing transaction history, and viewing active account balances related to the financial accounts (see Lawlor, column 21, lines 19-46; column 34, lines 46 to column 35, line 15);

Applicant's response:

Applicant herein amends claim 1 presented below:

1. (Currently amended) In a software suite executing from a computer server on an Internet network, for enabling viewing and manipulation of data, a software interface for enabling proxy transfer of funds between at least a user's financial account held at one

institution and a user's financial account held at another, separate, institution, the user's financial accounts accessed via a Web page requiring the user at least log-in with a name and password to access the user's financial account; comprising:

- an interactive main interface viewable from a single portal accessed by the user from the Internet for presenting and manipulating funds at financial accounts held by the user including at least configuring transfer funds orders, viewing pending transfers, viewing transaction history, and viewing active account balances related to the financial accounts;

- an interactive selection window accessible through the interface, the selection window for enabling selection of the separate accounts for grouping into a list of activated accounts; and

- an automated confirmation window enabling confirmation of data parameters of a requested funds transfer;

characterized in that a user operating the main interface initiates funds transfer orders to be performed on said financial accounts at requested times by proxy on behalf of the requesting user, the orders at least causing navigation to the Web page of the financial account via an automated browser on the Internet and accesses the user's financial accounts with the user's account name and password and interacts with the Web page to transfer funds from or to said financial accounts, as if the user.

Applicant herein amends claim 1 to particularly recite the unique and patentable manner applicant's invention combines the user interface, bookmarking and automatic navigation capabilities to perform the transferring of funds between a user's financial accounts. (Page 17, lines 3-12; Page 88, lines 7-12; and page 91, lines 7-10)

Applicant points out the art of Lawlor provides an ATM network wherein physical ATM nodes 54 are at the user's computer terminal and communicate with a main computer 52 over a data packet network which functions as an ATM and instructs ATM switch 66 to transfer funds between ATM member banks 64. (column 18; lines 19-38)

In applicant's invention the proxy executes transfers on behalf of the user as the user has access to said financial accounts over the Internet. Therefore, instead of the user having to navigate to a plurality of accounts to enter identification information and manually transfer funds, a convenient software portal is provided accessing and manipulating funds in the user's accounts on behalf of the user. The ATM terminal of Lawlor is not capable of operating on any other network than the ATM. Lawlor fails to teach automatic navigation to a user's Web sites for the purpose of transferring funds on behalf of a user, by proxy, as claimed.

Remington teaches a bill paying system on the Internet wherein bills are prepared in a proprietary format by the system and pushed to the user for verification and instruction to pay. (Abstract) Electronic funds transfers are done by presenting and associating payment remittance information with the bill wherein the remittance information is set up by the customer beforehand. The payment remittance information is transmitted in the biller prescribed format back over the Internet to the biller. In this manner, the payment remittance information is automatically returned directly to the biller in the same format that the biller designated, without intervention by the consumer, the carrier network, or any other intermediaries. (col. 6, lines 10-23)

Applicant argues that Remington specifically teaches away from applicant's ability to negotiate Web pages on behalf of a user to perform funds transfers because the payment information is submitted in the biller specified format. The bill and presentment system 110 of Remington includes a consumer bank 124 which manages the consumer's account. The biller bank 122 and consumer bank 124 are connected to a clearing network 126, such as the ACH network. (col. 7, lines 35-42)

Applicant believes claim 1, as amended, is clearly patentable over the art presented by the Examiner. Claim 3 is herein canceled as its limitations have been incorporated into independent claim 1 by amendment. Dependent claims 4-9 are patentable on their own merits or at least as depended from a patentable claim.

Merit Rejection under 35 USC §103

10. Claims 10, 12-18 & 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawlor et al (US 5,220,501) in view of Remington (US 6,070,150).

Examiner's rejection:

Re claims 10, 18 & 21, inputting in a data field within the single interface accessed by the user an Internet Network a transfer amount (see Lawlor, "Internet ATM network," column 20, line 59 to column 21, line 46 (especially column 21, lines 19-22); and column 34, line 46 to column 35 line 65);

selecting from a data menu within the single interface a data for the funds transfer to execute (see column 34, lines 46 to column 35, line 65);

selecting from a data menu within the single interface a financial institution accessible by the user over the Internet and associated account number of an account the transfer amount will be taken from (see column 21, lines 19-22; and column 34, lines 46 to column 35, line 65)

selecting from a data menu within a single interface a financial institution and associated account number of and account transfer amount will be deposited to (see column 34, lines 46 to column 35, lines 65);

submitting the transfer of funds order to be executed on the selected date (see column 34, lines 46 to column 35, line 65);

Lawlor discloses in figures 16A and 16B that the date routine 574 calculates periodic dates based upon user-inputted data and thus allows the user to schedule recurring payments (e.g. loan or mortgage payments, installment payments, etc.,) (see column 45, line 64 to column 46, line 50). It is maintained that it would be obvious for an artisan to recognize the fact that recurring payments provides a proxy feature to the user by allowing a transfer of funds from the user's account in the first financial institution (the user's bank account) into the user's account in the second financial institution (the user's loan account) periodically without further input from the user, besides the initially

provided information. Thus the user does not have to continuously make the transfer (payment) from one account into another.

Lawlor discloses all the features of claims 18, including the fact that the system is part of an ATM network node (see Abstract, column 17, lines 43+), but fails to disclose that the invention is within the Internet.

Remington provides a system for transferring funds via bill payment that is provided over the Internet (see Remington, Abstract). It would have been obvious for an artisan of ordinary skill at the time of the invention to provide the latest networking technology to Lawlor to conveniently make remote electronic transactions without use of a physical postal or wiring services. Thus one of ordinary skill in the art at the time of Lawlor would have sought to use the Internet as an alternative network that is widely recognized used across to provide information as well as make various transactions. Thus such a modification would increase the number of users to Lawlor's system and therefore have been an obvious expedient well within the ordinary skill in the art.

Applicant's response:

Independent method claim 10 and system claim 18, as amended, include the same claim limitations as argued on behalf of claim 1. Applicant's method claim now includes steps for navigating the Internet, logging on to users financial accounts to transfer funds, as if the user. Claim 18 includes a plurality of server nodes connected to the Internet, the server nodes functioning as data sources for the data procurement and aggregation providing access to the user's financial account via a Web page requiring the user at least log-in with a name and password to access the user's financial account; wherein the system navigates to the Web page of the financial account via a browser on the Internet and accesses the user's financial accounts with the user's account name and password and interacts with the Web page to transfer funds either from or to said financial accounts, as if the user.

In applicant's invention a portal is provided wherein a user instructs a proxy to access and transfer funds accessing the same Web pages, log-in forms, etc., that the user would navigate to and access if the user were manually transferring the funds at the sites.

Applicant believes this is a new and unique system for transferring funds in the art. The system does not have to initiate special networks, or have pre-arranged communication channels or formats as in Lawlor and Remington. Applicant's system utilizes the communication path and Web pages that would otherwise be accessed by the user to transfer funds. Claims 10 and 18 are easily patentable over the art of Lawlor and Remington as argued above. Claims 12-17 and 20-25 are patentable on their own merits, or at least as depended from a patentable claim.

Summary

As all of the claims, as amended and argued above, have been clearly shown to be patentable over the art presented by the Examiner, applicant respectfully requests that the rejections be withdrawn after Final, and that the case be passed quickly to issue. If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully submitted,
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